

UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE COMMISSIONER OF PATENTS AND TRADEMARKS

In re Johannes Kaeppler)
)
)
Application No. 10/751,390) Appeal No. 2009-2355
)
Filed: January 5, 2004)
_____)

ORDER GRANTING REQUEST TO RESET HEARING DATE

An oral hearing before a merits panel of the Board of Patent Appeals and Interferences has been set for May 13, 2009. The notice setting the hearing was mailed to Applicants on April 2, 2009. The date Applicants received the notice is not apparent from the record. On April 14, 2009 a facsimile letter styled "Request for Rescheduling of Hearing" was filed, Applicants requested that the Oral Hearing be rescheduled. The request has been granted.

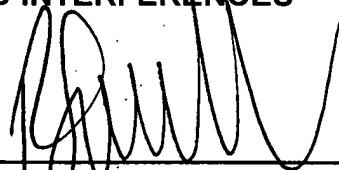
According to counsel:

The reason that the undersigned has an irreconcilable conflict, such that attendance at the Oral Hearing on the date assigned (i.e., Wednesday, May 13, 2009) is not possible, is that the undersigned is scheduled to be in Urbana, IL for a Final Pre-Trial Conference (e.g. leave from Connecticut on Tuesday May 12, 2009 and return from Illinois on Wednesday May, 13, 2009) in Civ. Action No. 2:07-cv-2133 MPM-DGB with Chief Judge Michael P. McCuskey.

For the reasons given above, it is:

Ordered that the request to reschedule the oral hearing to a date after May 13, 2009 is granted. No further request for postponement will be permitted. Any further request for postponement will be treated as a waiver of the Request for Oral Hearing.

**BOARD OF PATENT APPEALS
AND INTERFERENCES**



**Roger L. Williams
Administrative Officer
(571) 272-9797**

**FAX DATE: Tuesday 14, 2009
FAX No. (203) 327-1096**

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